ref for ord. 1991

BE IT REMEMBERED, that at a regular term of the County Court of the State of Oregon, for the County of Union, sitting for the transaction of County business, begun and held at the Courthouse Annex in the City of La Grande, in said County and State, on Wednesday of said month and the time fixed by law for holding a regular term of said Court, when were present:

The Honorable JOHN J. HOWARD County Judge

LORENCE D. SAVAGE Commissioner

STEVE MCCLURE Commissioner

WHEN, on Wednesday, the nineteenth day of December, 1990, among others the following proceedings were had to-wit:

IN THE MATTER OF AN ORDINANCE PROHIBITING THE IMPROPER USE OF 9-1-1 IN UNION COUNTY AND DECLARING AN EMERGENCY	Ordinance 1990-6

WHEREAS, Union County Court finds that there is a potential for deliberate and knowing use of 9-1-1 telephone lines for the purpose of initiating a false report, placing a prank call or making a request for emergency services where there exists no true emergency, and that the Public Safety Answering Point (PSAP) in Union County may experience repeated calls from citizens for emergency services when there exists no true emergency.

WHEREAS, responding to such unlawful requests for services requires the use of personnel and equipment such that they are not available for response in the event of a true emergency. The purpose of this ordinance is to reduce such abuse and deliberate misuse of the 9-1-1 emergency telephone system and emergency services provided by the public safety agencies of Union County to ensure the availability of 9-1-1 and other emergency telephone lines for the reporting of true emergencies in order that personnel and equipment may be available for use in true emergency situations, which will conserve energy and resources and reduce costs.

WHEREAS, an Automatic Dialing and Announcing Device is defined as an electronically- or mechanically-operated instrument which automatically dials telephone numbers it has been programmed to dial and which plays a prerecorded message when answered; and

WHEREAS, an Automatic Protection Device is defined as an electronically or mechanically operated instrument that automatically signals or sends by any means (including direct or indirect connection to regular telephone lines) pictures, sound, odor or a prerecorded message, either by voice or other alarm, from a protected premises upon receipt of a stimulus from a sensory detection apparatus. Automatic protection devices shall include any audible alarm or light signaling device attached to the interior or exterior of a protected premises; and

WHEREAS, an Emergency is defined as any situation which involves an immediate threat to property or person; and

WHEREAS, Intentionally is defined in ORS 161.085. 1987 ed.; and

WHEREAS, 9-1-1 is defined as a three-digit telephone number assigned for use by the public in reporting an emergency situation or summoning emergency assistance from a public safety agency; and

WHEREAS, a Public Safety Agency is defined as any sheriff, police, fire or emergency medical entity operated by the state, County or city within Union County; and

WHEREAS, Improper Use is defined as when a person commits the crime of improper use of emergency telephone system by:

(1) Knowingly or intentionally dialing the 9-1-1 number for any purpose other than to report an event which the caller reasonably believes to be an emergency;

(2) Knowingly or intentionally programming and activating an automatic dialing and announcing device or an automatic protection device which results in the transmission of a prerecorded message to a public safety agency via 9-1-1;

(3) Knowingly allowing their telephone equipment to be used in violation of (1) and (2) above.

NOW THEREFORE, BE IT HEREBY ORDAINED that improper use of 9-1-1 shall be a violation and is punishable upon conviction by fine of not more than $1,000 or by imprisonment in the County jail for not more than 30 days, or by both.

Be it Further ORDAINED that an emergency is hereby declared to exist and this ordinance being enacted for the immediate preservation of the public peace, health and safety shall take effect immediately.

DATED this 19th day of December, 1990.

JOHN J. HOWARD, COUNTY JUDGE

LORENCE D. SAVAGE, COMMISSIONER

STEVE MCCLURE, COMMISSIONER

Attest: Shelley Burgess
Executive Secretary